

## SECTION 6

### COMMERCIAL VEHICLES

#### 6.5 TRANSPORTATION NETWORK COMPANY/RIDE-SHARE OPERATIONS

(rev. 1/2018)

##### General

The following policy addresses the key items regarding Transportation Network Company/Ride-share Operations (TNC) at Fairbanks International Airport. A complete listing of all rules and regulations may be obtained from the Airport Badging & Permits Office.

Passenger transportation services that utilize an Operator provided network for independent contractor drivers to connect passengers with pre-arranged transportation shall be considered a Transportation Network Company and/or Ride-Share Operations (TNC).

Transportation Network Company/Ride-Share operations are required to be conducted under a permit issued by the Alaska International Airport System (AIAS), which includes Fairbanks International Airport and Ted Stevens Anchorage International Airport, however individual commercial vehicle permits are not required. Further information for obtaining an Operating Permit can be found at: <http://dot.alaska.gov/aias/index.shtml> or calling 907-474-2500.

Each driver shall abide by all the regulations pertaining to Fairbanks International Airport found in 17 AAC 42 (Alaska Administrative Code Title 17, chapter 42).

##### Operating Permit Requirements

The AIAS Airports (collectively FAI and ANC) have agreed to allow TNC's to conduct business at the Airports on a temporary, nonexclusive basis subject to the terms and conditions of the permit.

##### Definitions:

- "Airport Property" shall mean all property encompassed within the boundaries of FAI.
- "App" shall mean the mobile smartphone application or platform developed by the Operator that connects passengers with Drivers/Vehicles.
- "Designated Areas" shall mean Airport passenger terminal loading and staging areas.
- "Driver" means any individual who has been approved by the Operator to use a vehicle to transport passengers whose rides are arranged through the Operator's online-enabled application. The term "Driver" shall apply at all times that Driver is on Airport property by reason of the Driver's relationship with the Operator, regardless of whether the vehicle is carrying a passenger.
- "Operator" is the Transportation Network Company that executes an operating permit to conduct business at the Airports.
- "Staging Area" shall mean areas identified in Map 6-2 where Drivers may park and wait when not engaged in the active pick up or drop off of passengers.
- "Vehicle" shall mean the vehicle used by a Driver.

The Operator shall have a non-exclusive, revocable authorization solely to: (a) operate a transportation network business (subject to this Permit and all applicable laws, rules, ordinances and regulations) at the Airports utilizing smart phone mobile application technology to connect passengers with pre-arranged transportation services for hire; (b) permit Drivers to access the Operator's App in order to transport such passengers and their personal baggage to and/or from the Airports in Vehicles inspected and approved by Operator or a certified mechanic in

compliance with Alaska law; and (c) permit Drivers in providing rides matched through the Operator's App to use common-use Airport roadways for ingress and egress to and from the Airports' passenger terminal(s) and/or other locations on Airport Property. Nothing herein shall be deemed to grant Operator any exclusive right or privilege.

### Permit Fee

Fees are established under 17 AAC 42.125 for Commercial On-Demand Ride Services. Current airport rates and fees may be found at [http://dot.alaska.gov/aias/rates\\_fees.shtml](http://dot.alaska.gov/aias/rates_fees.shtml)

### Airport Staging Area

Passenger pickups and/or drop-offs are restricted to operating at designated locations at the north end of the FAI Terminal, depicted on the map below. Drivers are not authorized to park at the designated pickup/drop-off locations while waiting to be summoned by their customer(s). Vehicles are required to have their respective company's "trade-dress" (decal) visibly affixed to the windshield.



**Map 6-2 TNC/Ride-Share Loading and Staging Locations**

## **Additional Requirements and Rules**

**Permitted Use.** Operator and Drivers may use the Designated Areas and Staging Areas only for the uses specified in this Permit (collectively, "Permitted Use") and for no other purpose, and shall not conduct any activity or operations at the Airports not expressly authorized by this Permit.

**No Exclusivity.** Operator acknowledges and agrees that it has no exclusive rights to conduct the business described herein, and that Airports have the right, at all times, to arrange with others for similar activities at the Airports.

**Transportation Requirements.** In conducting its operations consisting solely of the Permitted Use, without limiting the generality of other provisions of this Permit, Operator shall inform Drivers of the terms of this Permit and the following transportation requirements, as amended from time to time by Airports:

- (a) Each Driver shall maintain, within such driver's vehicle at all times while upon Airport property, a digital decal as described in Section 2.2(b);
- (b) Each Driver shall be allowed to pick-up and drop-off passengers traveling to or from the Airports' passenger terminals only at the Designated Areas;
- (c) At FAI, Driver may pick-up or drop-off passengers at businesses accessed directly from University Avenue.
- (d) Drivers may pick-up or drop-off passengers traveling to or from locations on Airport Property other than the passenger terminals or the East side of FAI only at legal, safe stopping areas that do not unduly disrupt Airports' tenants, employees, or customers; Drivers will comply with any police or Airport personnel instructions regarding what are or are not allowable pick-up and drop-off points;
- (e) Each Driver must be able to produce, upon the request of any police officer or other Airport representative, the electronic equivalent of a waybill;
- (f) Once a Driver has made contact with the passenger(s) with whom such driver was matched, the Driver shall promptly load such passenger(s);
- (g) Each Driver shall strictly limit such driver's curbside time in the Designated Areas to the time required for the prompt loading and unloading of passengers, and after loading passengers, such Driver shall thereafter promptly depart from the terminal area; and
- (h) Drivers waiting to receive a trip request may park or wait only in the designated Staging Areas; they may not park or wait elsewhere on Airport Property or loop in excess around the passenger terminal areas or around any part of Airport Property.

**No Advertising or Promotions.** No Vehicle shall post or display, on the exterior thereof, any signage or other displays except for Operator's name and/or logo (or the signage of other transportation network companies).

## **General Prohibited Activities**

Without limiting any other provision herein, Operator shall not, without the Airports' prior written consent:

- (a) Cause or permit anything to be done, in or about the Designated Areas or Staging Areas or the Airports, or bring or keep anything thereon, which would be reasonably likely to (i) increase, in any way, the rate of fire insurance on the Airports, (ii) create a nuisance, or (iii) obstruct or interfere with the rights of others on the Airports or injure or annoy them;
- (b) Commit, or suffer to be committed, any waste upon the Designated Areas or the Airports;
- (c) Use, or allow Airport Property to be used, for any improper, immoral, unlawful or reasonably objectionable purpose;
- (d) Place any loads upon the floor, walls or ceiling which endanger the structure or obstruct the sidewalk, passageways, stairways or escalators, in front of, within or adjacent to the Designated Areas or the roadways; or

- (e) Do, or permit to be done, anything, in any way, which would be reasonably likely to materially injure the reputation or image of the Airports or appearance of the Airports.

### **Other Prohibited Activities**

Without limiting the generality of other provisions of this Permit, the following activities are prohibited by Drivers:

- (a) Turning off or disabling the App when a Vehicle is on Airport Property, unless the Driver is departing the Airport after a drop-off;
- (b) Allowing operation of a Vehicle on Airport roadways by an unauthorized driver;
- (c) Transporting a passenger in an unauthorized vehicle;
- (d) Picking-up or discharging terminal passengers, or their baggage, at any location other than the Designated Areas;
- (e) Failing to provide information, or providing false information, to police officers or Airport personnel;
- (f) Displaying, to an Airport official, a waybill in an altered or fictitious form;
- (g) Soliciting passengers on Airport property;
- (h) Using or possessing any alcoholic beverage while on duty;
- (i) Failing to operate a vehicle in a safe manner;
- (j) Failing to comply with posted speed limits and traffic control signs;
- (k) Using profane or vulgar language or gestures;
- (l) Attempting to solicit payment in excess of that authorized by law;
- (m) Soliciting for or on behalf of any hotel, club, nightclub, or other business;
- (n) Soliciting of any activity prohibited by the applicable laws, rules or regulations;
- (o) Operating a vehicle which is not in a safe mechanical condition or which lacks mandatory safety equipment;
- (p) Disconnecting any pollution control equipment;
- (q) Using or possessing any illegal drug or narcotic while on Airport Property;
- (r) Operating a vehicle without proper certification or at any time during which Operator's authority is suspended or revoked;
- (s) Engaging in any criminal activity; and
- (t) Driving on Airport taxiways or runways.

### **Violations of Rules and Regulations by Drivers**

Operator and Driver must abide by all policies and rules contained herein, including without limitation, all of the terms and conditions of this Permit and the rules, regulations and orders of the Airports. Airports may immediately suspend the operating privileges of any Driver who has been warned but continues to violate this Permit or the Airports' rules, regulations or orders, including but not limited to parking or traffic violations. Operator agrees to block any suspended Driver from accepting trip requests from a passenger seeking a pick-up at the Airports.

The Airports reserve the right to immediately suspend the operating privileges of any Driver accused of committing any crime, whether felony or misdemeanor, while on Airports' property, while transporting a passenger for drop-off at the Airports or while transporting a passenger after pick-up at the Airports, and, upon reasonable notice, Operator agrees to immediately block any suspended Driver from accepting trip requests from a passenger seeking a pick-up at the Airports.

Drivers who fail to comply with city, airport, and/or state rules and regulations may forfeit their right to operate at the State of Alaska, Fairbanks International Airport for the duration of the operating permit per 17 AAC 42.095, paragraph (l).

Drivers wishing to file a complaint or report of noncompliance may do so by calling the Fairbanks International Airport Badging & Permits Office at 907-474-2500.

## **Compliance with Laws**

At all times, Operator shall cause its use of the Airports and its operations under this Permit to comply with all applicable laws, ordinances, orders, directives, rules, codes, regulations and decrees of federal, state and local governmental entities and agencies, and their respective departments, agencies, authorities and boards (individually, a "Governmental Entity", or collectively, "Governmental Entities"), and all grant assurances provided by Airports to any federal or state Governmental Entity in connection with the Airports' ownership or operation of the Airports, and all other applicable rules, regulations, policies, and procedures of Airports, as the same may be amended, modified or updated from time to time, including, but not limited to, those relating to health and safety, especially those pertaining to public safety such as safe driving practices, seat belts, and child seats/restraints. For purposes of this Permit, the term "Governmental Entity" shall also mean and include, without limitation, Airports, State of Alaska, U.S. Department of Transportation, Federal Aviation Administration, and Transportation Security Administration.